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2                   **IN THE UNITED STATES DISTRICT COURT FOR THE**  
3                   **WESTERN DISTRICT OF MISSOURI**  
                  **SOUTHERN DIVISION**

4 **UNITED STATES OF AMERICA,**            ) **Case No. 17-03016-01-CR-S-RK**  
  )  
5                   **Plaintiff,**                ) **Springfield, Missouri**  
  ) **August 30, 2017**  
6 **v.**    )  
  )  
7 **ANTHONY DUNLAP,**                        )  
  )  
8                   **Defendant.**                )  
  )  
\_\_\_\_\_)

9  
10                   **TRANSCRIPT OF HEARING ON MOTION TO DETERMINE COMPETENCY**  
11                   **BEFORE THE HONORABLE DAVID P. RUSH**  
                  **UNITED STATES MAGISTRATE JUDGE**

12 **APPEARANCES:**

13 For the Plaintiff:                        Mr. James J. Kelleher  
  Assistant United States Attorney  
14    901 St. Louis St., Ste. 500  
  Springfield, MO 65806  
  (417) 831-4406

15 For the Defendant:                        Ms. Erica Mynarich  
16    Federal Public Defender's Office  
  901 St. Louis St., Ste. 1600  
17    Springfield, MO 65806  
  (417) 83106363

18 Court Audio Operator:                    Ms. Karla Berziel

19 Transcribed by:                            Rapid Transcript  
20    Lissa C. Whittaker  
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25 Proceedings recorded by electronic sound recording, transcript  
produced by transcription service.

1 (Court in Session at 1:38 p.m.)

2 THE COURT: Calling in the *United States vs. Anthony*  
3 *Dunlap*. The defendant is present in the courtroom along with his  
4 attorney, Ms. Erica Mynarich. The United States is represented  
5 by Assistant United States Attorney, Mr. Jim Kelleher. Counsel  
6 for the defendant previously filed a motion pursuant to 18 U.S.C.  
7 Section 4241 requesting that the defendant undergo an examination  
8 to determine defendant's competency to stand trial. Defendant's  
9 motion was granted by the Court and the Court ordered a  
10 psychological examination be performed. The mental health  
11 evaluation has been completed and a report has been submitted to  
12 the Court. The Court will take judicial notice of the report  
13 which is part of the record. Ms. Mynarich, does the defendant  
14 have any other evidence that you would like to submit to the  
15 Court for consideration of this issue?

16 MS. MYNARICH: No, Your Honor.

17 THE COURT: Mr. Kelleher, on behalf of the United States  
18 do you have any additional evidence that you would like to submit  
19 to the Court for consideration of this issue?

20 MR. KELLEHER: No, Your Honor.

21 THE COURT: Well, I will take this matter as submitted  
22 then on the record and will reach a decision promptly. If  
23 there's nothing further, we'll be in recess. Thank you.

24 (Court Adjourned at 1:39 p.m.)  
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9 I certify that the foregoing is a correct transcript  
10 from the electronic sound recording of the proceeding in the  
11 above-entitled matter.

12 /s/ Lissa C. Whittaker  
13 Signature of transcriber

September 1, 2017  
Date